

REMARKS

Claims 1-12 remain pending in this patent application. Of these, claims 1-6 stand withdrawn from further consideration as being drawn to a non-elected invention. Applicant explicitly reserves the right to file one or more divisional applications directed to the subject matter recited in the claims to the non-elected invention.

PRIOR ART REJECTION

Claims 7-12 were rejected under 35 USC § 103(a) as being unpatentable over JP 59-081059 (JP '059) in view of US 3640028 (Richard). Applicant traverses this rejection insofar as it might be deemed applicable to any of claims 7-12 as now presented.

JP '059 is cited and discussed on page 2 of Applicant's specification. The attitude adjusting device and golf ball manufacturing method disclosed and claimed in this application is an improvement over the apparatus and method disclosed in JP '059.

The method and apparatus disclosed by Richard effects removal of molding flash from golf balls using a grinding wheel 11 having annular grooves 12 in which a golf ball is received while undergoing removal of the molding flash. As shown, for example, in Fig. 1, a feedwheel 17 confronts grinding wheel 11a. A golf ball 28 situated in a groove of the grinding wheel 11 and supported on bar 27 undergoes rotation due to its engagement with the rotating confronting wheels 11 and 17. The golf ball also undergoes random movements between the rotating wheels 11 and 17 due to a spray from nozzle 53 that impinges on the ball. As the golf ball moves while engaging the grinding wheel, it is abraded over its entire surface, as described in column 2, lines 53-56 of Richard.

The Examiner acknowledges that the apparatus and method disclosed in JP '059 does not employ a "roller including a portion having a small diameter which is concave along a surface of the golf ball," as specified in Applicant's independent claim 7. As a remedy for this deficiency of the JP '059 disclosure vis-à-vis the requirements of Applicant's claims, the Examiner proposes a modification of the JP '059 apparatus in which the rollers 14, 15 and 16, 17 of the JP '059 apparatus are provided with "a portion having a small diameter, which is concaved." The

Examiner contends that such a modification of the JP '059 apparatus would have been obvious in view of the disclosure in Richard of a grooved wheel that effects rotation of a golf ball.

As observed above, the wheel 11 in the Richard apparatus that has grooves 12 is a wheel that *grinds* a golf ball. It does not perform orientation of a golf ball that is *subsequently* subjected to grinding. In fact, in the Richard apparatus, no concern is given to the orientation of a golf ball to be ground. As noted above, an objective of the Richard method and apparatus is to expose *all* surfaces of a golf ball to the grinding wheel.

In the JP '059 apparatus, the rollers 14, 15 and 16, 17 serve only to orient a golf ball before it is presented to a grinder. Because the Richard method and apparatus do not perform any orientation of a golf ball as part of the grinding operation, Applicant submits that one of ordinary skill in the art would not have found it obvious from Richard's disclosure of grooves in a grinding wheel to add grooves to rollers of the JP'059 apparatus which do not perform any grinding, but instead have as their sole function to effect an orientation of a golf ball *prior* to grinding.

Without acquiescing in the rejection, Applicant is amending independent claim 7 to further recite the step of "putting the golf ball on a machine for grinding with the attitude of the ball being kept." Applicant submits that this amendment to claim 7 defines a further patentable departure from disclosures in JP '059 and Richard.

Claims 8-12, which depend from claim 7, recite even further patentable departures from the disclosures in JP '059 and Richard. For example, there are no disclosures in JP '059 or in Richard that can meet or make obvious (a) the values for a radius R1 of the roller surface as recited in claims 8 and 10, (b) the grooves in the portion of the roller having a small diameter as recited in claim 9, (c) the rotating speed of the roller as recited in claim 11 or (d) the spacing of the stopper parts as recited in claim 12.

In view of the foregoing observations, Applicant submits that no reasonable combination of the disclosures in JP '059 and Richard can properly serve as a basis for rejecting any of claims 7-12, as now presented, under 35 USC § 103(a).

CONCLUSION

In view of the amendments, observations and arguments presented herein, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection stated in the outstanding Office Action and recognize all of the pending claims as allowable.

If unresolved matters remain in this application, the Examiner is invited to contact Frederick R. Handren, Reg. No. 32,874, at the telephone number provided below, so that these matters can be resolved expeditiously.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: November 27, 2006

Respectfully submitted,

By Frederick R. Handren
for Andrew D. Meikle #32874
Registration No.: 32,868
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant